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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/604,352	06/27/2000	Takashi Kondoh	00465/LH	4884

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Frishauf Holtz Goodman LANGER & Chick P C
767 Third Avenue
25th Floor
New York, NY 10017-2023

EXAMINER	
PEREZ, JULIO R	

ART UNIT	PAPER NUMBER
2681	5

DATE MAILED: 03/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/604,352	KONDOH, TAKASHI	
	Examiner	Art Unit	
	Julio R Perez	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 June 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) *5-19* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *1-19* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2*.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: *Restriction/Election*.

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-4, drawn to an information processing apparatus, classified in class 455, subclass 403.

II. Claims 5-19, drawn to a camera communication system, classified in class 348, subclass 211.1.

2. The inventions are distinct, each from the other because of the following reasons:

3. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention each has separate utility since each is drawn to a different invention. See MPEP § 806.05(d).

4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

5. During a telephone conversation between Examiner Gary Solomon and Leonard Holtz Registration Number 22,974 on Monday, March 15, 2004 a provisional election was made with traverse to prosecute the invention of the information processing apparatus, claims 1-4. Affirmation of this election must be made by applicant in replying to this Office action. Claims 5-19 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 102

> (e) The invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Hansen et al. (GB2342816).

Regarding claim 1, Hansen et al. teach an information processing system comprising: a radio communication terminal (Fig. 1) and an information appliance communicable (Fig. 3, ref. 50, 40) with said radio communication terminal within a predetermined distance, said information appliance comprising: a storing part for storing information peculiar to a user of said information appliance (page 9, lines 10-14, the network includes a Home Location Center (HLR), corresponding to a storing part, stores user profile information); a radio communication part for reading information from said radio communication terminal (page 9, lines 10-13, the network is provided with a Mobile Switching Center (MSC), which contains transceiver means for communicating with the client; thus, serving as a communication section); and an authorization part authorizing said user of the information appliance by collating information from said

radio communication terminal read at said radio communication part with information peculiar to the user of said information appliance stored in said storing part (page 9, lines 16-25, the MSC transmits a message to the HLR (storing part) to make certain the client is approved to use the system; in turn the HLR notifies the MSC whether or not the user is an authorized user), and said radio communication terminal comprising: a storing part for storing predetermined information (Fig. 2; page 6, lines 24-27, the terminal (1) comprises a RAM memory (17a); hence, means for storing information); and a transmission part for receiving a radio signal transmitted from said information appliance and transmitting said predetermined information stored in said storing part as a radio signal (Fig. 2, ref. 19; page 6, lines 27-28, the terminal contains a transmitter/receiver circuit, therefore, able to receive information from or communicate information to the network).

Regarding claim 2, Hansen et al. teach the information processing system, wherein said radio communication terminal contains a portable telephone (Fig. 1, ref. 1, a hand portable phone for communicating with network), the information appliance user's own information contains a telephone number (page 9, lines 17-20, the phone sends a request to the MSC, which serves the client. Such requests contains identification means; it is inherent that the identification means comprises the MIN (Mobile identification Number) and the mobile ESN (Electronic Serial Number); therefore, a telephone number is inherently embedded into the information, and in turn identifying the client), the telephone number differs for each user, and that the portable telephone hereafter can be a part specifying an individual is utilized.

Regarding claim 3, Hansen et al. teach the information processing system, wherein said radio communication terminal transmits a code number, employing an operation part of a portable telephone, in addition to the information appliance user's own information (page 9, lines 16-20, normally after activating the client, a code, by entering a PIN code, is keyed in).

Regarding claim 4, Hansen et al. teach the information processing system, wherein said information appliance has a control part for, controlling so that the directivity of an electromagnetic wave transmitted from the radio communication terminal reading part is made high (page 6, lines 24-30; page 7, lines 1-8; Fig. 2, ref. 18; page 9, lines 3-8, the network contains memory means as well control means to control transmission functions. Further, it is inherent for a mobile system to contain a plurality of BSCs (Base Station Controllers) within a BTS (Base Station Subsystem); in fact, the Base Station Subsystem is inherently composed of two parts, the Base Transceiver Station (BTS) and the Base Station Controller (BSC). The BSC is inherently the connection between the mobile station and the Mobile service Switching Center (MSC), by communicating directly through electromagnetic waves).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the art with respect to information processing systems.

US Pat. No. 6433737 to Katz	Improving quality of radio connection
US Pat. No. 5875395 to Holmes	Secure Equipment Automation
US Pat. No. 5577103 to Foti	Cellular telecommunications network
US pat. No. 5752193 to Scholefield et al.	Communicating in a wireless system
US Pat. No. 6160511 to Pfeil et al.	Remote unit with a communication system
Us pat. No. 5404355 to Raith	Broadcasting in a digital channel

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio R Perez whose telephone number is (703) 305-8637. The examiner can normally be reached on Monday - Friday, 7:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Erika Gary can be reached on (703) 308-0123. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JP
3/19/04

ERIKA GARY
PATENT EXAMINER